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Letter dated 1 January 2013 from the Permanent Representative of Pakistan to the United Nations addressed to the Secretary-General

I have the honour to inform you that, under the presidency of Pakistan in January 2013, the Security Council will hold an open debate, on 15 January 2013, on a comprehensive approach to counter-terrorism. In order to help to steer the discussions on the subject, Pakistan has prepared the attached concept note (see annex).

I would be most grateful if the present letter and its annex could be circulated as a document of the Security Council.

(*Signed*) Masood **Khan**

13-20084 (E) 070113

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Annex to the letter dated 1 January 2013 from the Permanent Representative of Pakistan to the United Nations addressed to the Secretary-General

Concept note for the open debate of the Security Council on a comprehensive approach to counter-terrorism

(15 January 2013)

Introduction

International terrorism poses a serious threat to peace, security and stability in all parts of the world. It is a global scourge that the international community must tackle together. The complex nature of the terrorist phenomenon continues to pose multiple challenges. Many parts of the world have seen a rise in terrorist activities. Terrorist groups of different motivations and ideological orientations, with innovative tactics and new technologies, are a constant challenge. The use of the latest technology and cyber resources for terrorist financing, planning and recruitment bring out the need for effective steps by all Member States.

The past decade has seen considerable international cooperation against terrorism. Experience points to the necessity of comprehensive, coordinated and consistent responses at the national, regional and international levels to counter terrorism effectively.

During its presidency of the Security Council in January 2013, Pakistan will convene an open debate on 15 January with a particular focus on a comprehensive approach to counter-terrorism.

Background

The General Assembly adopted the United Nations Global Counter-Terrorism Strategy by consensus in 2006 and has reviewed it three times. The Assembly established the Counter-Terrorism Implementation Task Force to facilitate coordination and coherence and provide assistance for the implementation of the Strategy (Assembly resolution 64/297). The Task Force consists of 29 United Nations entities, the International Criminal Police Organization (INTERPOL) and the World Customs Organization. Each entity contributes to United Nations counter-terrorism efforts in the light of its mandate.

Resolutions of the Security Council on counter-terrorism, including 1373 (2001) and 1267 (1999), 1989 (2011) and their successor resolutions, have augmented the framework established by various legal instruments to maintain international peace and security and prevent terrorist acts. United Nations mechanisms and subsidiary bodies, such as the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism and its Executive Directorate, not only make an assessment of the implementation status of relevant resolutions but also help States undertake measures to prevent terrorism. The workshops organized by the Executive Directorate and the Counter-Terrorism Implementation Task Force in various parts of the world play an important role in

identifying and addressing counter-terrorism-related capacity gaps in various countries.

Objectives

Comprehensive approach

While there exists an elaborate mechanism of cooperation among States at the subregional, regional and international levels, the counter-terrorism efforts of the international community have produced mixed results. The wave of terrorist acts during the past decade has increased the realization that terrorism cannot be defeated by military means and law enforcement measures alone. The prevalence of the terrorist threat underscores the need for a more creative and holistic approach to counter-terrorism.

Such an approach, characterized by multifaceted cooperation and the combination of a variety of traditional approaches, including political, developmental, human rights and legal, would be helpful to tackle the menace. It should address the root causes of terrorism and all relevant factors within a given context. There is a need to understand what is driving individuals to acts of terrorist violence. The integration of counter-terrorism approaches should be pursued at both the policy and implementation levels.

The debate can focus on, inter alia, the aspects set out in the context of the comprehensive approach.

Financing of terrorism

Countering the financing of terrorism must remain one of the top priorities of international counter-terrorism efforts. United Nations entities and multilateral organizations have done important work in the area of countering the financing of terrorism. Terrorists have also adapted to new circumstances and have changed their methods of raising, storing and transferring finances. There is a need for concerted efforts to deal with the risks of terrorist financing, including prevention of the abuse of the non-profit sector by terrorists. It is important to pursue such measures in a manner that respects religious freedoms and practices, including charitable donations as well as relief and humanitarian assistance.

Terrorists have increasingly relied on criminal activity to raise funds. The narcotics trade is an important source of funding for various terrorist groups. There is a need to strengthen international cooperation in disrupting the links that, in some cases, exist between the illicit trafficking of drugs and their precursors, the illicit production of narcotic drugs and drug-related financial activities. It is important for effective cooperation among Member States to include the exchange of timely and accurate information concerning the financing of terrorism from all sources, including drug trafficking.

Implementation of the United Nations Global Counter-Terrorism Strategy

The United Nations Global Counter-Terrorism Strategy has, inter alia, highlighted the importance of addressing conditions conducive to the spread of terrorism. The conditions conducive to the spread of terrorism include prolonged unresolved conflicts; the dehumanization of the victims of terrorism in all its forms

and manifestations; lack of the rule of law and violations of human rights; political exclusion; socioeconomic marginalization; and the lack of good governance. All four pillars of the United Nations Counter-Terrorism Strategy need to be implemented in all aspects.

There is a need to identify the capacity shortfalls of States. The capacity-building needs of States might include training of personnel, procurement of requisite equipment and the establishment of physical infrastructure. The physical infrastructure ensures the technological capability of the State for, inter alia, monitoring of and gathering intelligence on terrorist activities and for apprehending terrorists.

Assisting victims of terrorism, in all its forms and manifestations, and providing them and their families with support to cope with their loss and grief is important in the context of overall counter-terrorism efforts. The possible role of such victims and of survivor networks in countering terrorism merits highlighting. Member States and the United Nations system, including the Counter-Terrorism Implementation Task Force, have made noteworthy efforts and undertaken activities in this field.

Security and development

Inquiries into a deeper understanding of counter-terrorism have promoted an increased focus on the importance of development and security as an important theme of counter-terrorism policy prescription. The two are mutually reinforcing and worthy of careful examination. The strategic significance of the development and security approach is that it is preventive and corresponds to the basic needs of human existence, considering that the long-term objective of any counter-terrorism strategy is to safeguard the lives and well-being of people.

An approach based on security and development constitutes a vital tool to build community resilience in countering the appeal of terrorism. Success in this area, especially through youth employment, the eradication of socioeconomic marginalization and the strengthening of good governance, could reduce the sense of victimization that promotes the extremism and recruitment of terrorists. At the same time, such an approach towards security and development should not lead us to look at development activities through the prism of security concerns only.

A long-term policy based on deterrence, development and dialogue is crucial to defeating terrorists. Such a policy must focus on developing areas that have been under the influence of terrorist groups and pursuing dialogue with relatively moderate elements who could be lured away from violence.

Rule of law, human rights and counter-terrorism

The rule-of-law approach to counter-terrorism underscores the need for an effective criminal justice system supported by credible and strong law enforcement measures. The law enforcement capacity to apprehend, investigate, and analyse evidence is crucial for an effective criminal justice system. Such a system requires effective legislation, scientific evidence collection supported by forensic laboratories, prosecution and inter-agency cooperation, information-sharing and coordination. This includes incorporation of international legal obligations into national legislation based on international counter-terrorism instruments signed by

States. It also requires effective protection of law enforcement officials dealing with terrorist offences, their families, judges and witnesses.

In the United Nations Global Counter-Terrorism Strategy, Member States have recognized that international cooperation to fight terrorism must be conducted in conformity with international law, including the Charter of the United Nations and relevant international conventions and protocols. The rule of law and protection of human rights while countering terrorism at both national and international levels must be ensured by all States, consistent with their obligations under international human rights, refugee and humanitarian law. The protection and promotion of human rights and countering and preventing terrorism are not conflicting but complementary goals.

Incitement to terrorism

Incitement to commit terrorist acts is a growing problem. It complicates and creates hurdles in almost all forms of counter-terrorism, from operational and legal phases to the rehabilitation phase. Incitement to terrorism of all types affects intercultural relations and mutual perceptions. Practical measures must be taken to address these challenges. The promotion of tolerance, good governance and inclusiveness is vital for the prevention of terrorism. However, the definitional aspects of incitement, along with concerns based on the principle of freedom of expression, make it hard to address the issue in an effective manner.

Dialogue and understanding among civilizations and cultural groups

In addition to political, developmental and legal approaches, the long-lasting solution to the threat of terrorism also requires dialogue, understanding and bridging the gaps among various civilizations and cultural groups. Dialogue and better understanding among civilizations are important for the prevention of extremism.

Venues for dialogue and countering the appeal of terrorism must be given due importance in any counter-terrorism strategy. In that context, the reform and reorientation of prisons and correctional systems deserve more attention. It is also important to engage in the deconstruction of terrorists' narratives and devise practical methodologies for implementing effective programmes to deradicalize terrorists. The United Nations Educational, Scientific and Cultural Organization, the Alliance of Civilizations and the Task Force's Working Group on Dialogue, Understanding and Countering the Appeal of Terrorism have made positive contributions to enhancing mutual understanding among diverse cultures. These frameworks for dialogue need to be fully utilized in order to bring various civilizations together.

The role of regional and international organizations in creating frameworks of cooperation and for the sharing of best practices should be strengthened. The utilization of regional arrangements and agencies in the light of Chapter VIII of the Charter must be encouraged. The existing level of regional cooperation in the field of counter-terrorism can be further enhanced by regional organizations.

Format

The meeting will be held in the format of an open debate to be chaired by the Minister for Foreign Affairs of Pakistan. Secretary-General Ban Ki-moon will brief the Council.

Outcome

The Security Council may adopt a presidential statement that will recognize the continued need for a comprehensive approach towards counter-terrorism.